



RCE
JW

PATENT
ATTORNEY DOCKET NO.: 041465-5126

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Kiyoshi TATEISHI) Confirmation No.: 4513
)
Application No.: 09/985,836) Group Art Unit: 2655
)
Filed: November 6, 2001) Examiner: Ortiz Criado, Jorge L
)
For: OPTICAL RECORDING MEDIUM,) Mail Stop AF
) INFORMATION RECORDING
) APPARATUS, AND INFORMATION
) REPRODUCING APPARATUS)

Commissioner for Patents
U.S. Patent and Trademark Office
600 Dulany Street
Customer Window, Mail Stop RCE
Alexandria, VA 22314

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☒ Previously submitted:
- ☒ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on March 24, 2005 (Any unentered amendment(s) referred to above will be entered).
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☐ Other: _____ 05/27/2005 SZEWDIE1 00000082 500310 09985836
- ☒ Enclosed:
- ☐ Supplemental Reply
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement
- ☐ Form 1449
- ☒ Other: Amendment with RCE

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- ☐ Other: _____.

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$790.00
☐ \$395.00 (for small entity)

(b) Extension of Time

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$225.00
<input checked="" type="checkbox"/> three months	\$1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00
<input type="checkbox"/> five months	\$2,160.00	\$1,080.00

An extension for one month has already been secured on March 24, 2005 and the fee paid therefor of \$120.00 is deducted from the total fee due for the total months of extension now requested. Accordingly, the extension of time fee due with this request is: \$900.00 (\$1020.00 – \$120.00).

Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	24	minus	26	0	x \$50 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	11	minus	11	0	x \$200 each=	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

4. Fee Payment

- ☐ Enclosed is a check in the amount of \$_____.
- ☒ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of **\$1,690.00** representing \$790.00 for the RCE filing fee and \$900.00 (\$1020.00-\$120.00) for the three-month extension of time fee.


- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

Dated: May 26, 2005

By: _____


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AMENDMENT WITH RCE

Further to the Amendment under 37 C.F.R. § 1.116 filed March 24, 2005 and in response to the Final Office Action dated November 26, 2004 and Advisory Action dated April 19, 2005, the period for response to which having been extended through May 26, 2005, by the concurrently filed petition for a two-month extension of time and corresponding fee payment, and the concurrently filed Request for Continued Examination, please amend the above-identified application as follows: